

HOUSE FILE 646

H-1750

1 Amend the Senate amendment, H-1682, to House File
2 646, as amended, passed, and reprinted by the House, as
3 follows:

4 1. By striking page 1, line 5, through page 36,
5 line 47, and inserting:

6 <DIVISION I
7 FY 2011-2012

8 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

9 1. There is appropriated from the general fund of
10 the state to the department of administrative services
11 for the fiscal year beginning July 1, 2011, and ending
12 June 30, 2012, the following amounts, or so much
13 thereof as is necessary, to be used for the purposes
14 designated, and for not more than the following
15 full-time equivalent positions:

16 a. For salaries, support, maintenance, and
17 miscellaneous purposes:
18 \$ 4,020,344
19 FTEs 84.18

20 b. For the payment of utility costs:
21 \$ 2,626,460
22 FTEs 1.00

23 Notwithstanding section 8.33, any excess funds
24 appropriated for utility costs in this lettered
25 paragraph shall not revert to the general fund of the
26 state at the end of the fiscal year but shall remain
27 available for expenditure for the purposes of this
28 lettered paragraph during the succeeding fiscal year.

29 c. For Terrace Hill operations:
30 \$ 405,914
31 FTEs 6.88

32 d. For the I3 distribution account:
33 \$ 3,277,946

34 e. For operations and maintenance of the Iowa
35 building:
36 \$ 995,535
37 FTEs 7.00

38 2. Members of the general assembly serving as
39 members of the deferred compensation advisory board
40 shall be entitled to receive per diem and necessary
41 travel and actual expenses pursuant to section 2.10,
42 subsection 5, while carrying out their official duties
43 as members of the board.

44 3. Any funds and premiums collected by the
45 department for workers' compensation shall be
46 segregated into a separate workers' compensation
47 fund in the state treasury to be used for payment of
48 state employees' workers' compensation claims and
49 administrative costs. Notwithstanding section 8.33,
50 unencumbered or unobligated moneys remaining in this

1 workers' compensation fund at the end of the fiscal
2 year shall not revert but shall be available for
3 expenditure for purposes of the fund for subsequent
4 fiscal years.

5 Sec. 2. LEASING AUTHORITY IMPLEMENTATION.

6 1. A state agency that has entered into a lease
7 for any buildings or office space shall forward a
8 copy of each such existing lease to the department of
9 administrative services for review prior to July 1,
10 2011.

11 2. A state agency that is in the process of
12 entering into or renewing a lease for any building
13 or office space shall contact the department of
14 administrative services prior to finalizing such lease.
15 Such lease shall not be entered into or renewed without
16 the approval of the department.

17 3. The department shall provide space management
18 services and begin to lease all buildings and office
19 space wherever located throughout the state as provided
20 in section 8A.321, as amended by this Act, as soon
21 as practicable, but by no later than December 1,
22 2011. Prior to assuming those responsibilities,
23 the department shall review and approve leases under
24 subsection 2 unless, in the department's discretion, it
25 is determined that entering into or renewing such lease
26 would not be in the best interests of the state.

27 4. The department is authorized to assess a fee
28 to a state agency for which a lease is negotiated
29 or renewed pursuant to this Act sufficient to cover
30 the department's costs in providing space management
31 services under this Act.

32 Sec. 3. TRAVEL REIMBURSEMENT IMPLEMENTATION.

33 1. If this Act is approved by the governor
34 prior to July 1, 2011, the electronic online travel
35 authorization form provided for in section 8A.512A, if
36 enacted, shall be developed on or before July 1, 2011,
37 and executive branch employees subject to that section
38 traveling out of state on behalf of the state shall
39 utilize the form on and after that date.

40 2. The database to be made available by the
41 department of administrative services as provided in
42 section 8A.512A, if enacted, shall be developed and
43 available for public access on or before January 1,
44 2012.

45 3. The department shall develop a plan for
46 converting the existing reimbursement process to a
47 paperless process, including implementation steps, a
48 timeline, and an estimated budget. The plan shall be
49 submitted to the governor by no later than January 1,
50 2012.

1 Sec. 4. REVOLVING FUNDS. There is appropriated
2 to the department of administrative services for the
3 fiscal year beginning July 1, 2011, and ending June
4 30, 2012, from the revolving funds designated in
5 chapter 8A and from internal service funds created
6 by the department such amounts as the department
7 deems necessary for the operation of the department
8 consistent with the requirements of chapter 8A.

9 Sec. 5. FUNDING FOR IOWACCESS.

10 1. Notwithstanding section 321A.3, subsection
11 1, for the fiscal year beginning July 1, 2011, and
12 ending June 30, 2012, the first \$750,000 collected
13 and transferred by the department of transportation
14 to the treasurer of state with respect to the fees
15 for transactions involving the furnishing of a
16 certified abstract of a vehicle operating record under
17 section 321A.3, subsection 1, shall be transferred
18 to the IowAccess revolving fund for the purposes of
19 developing, implementing, maintaining, and expanding
20 electronic access to government records as provided by
21 law.

22 2. All fees collected with respect to transactions
23 involving IowAccess shall be deposited in the IowAccess
24 revolving fund and shall be used only for the support
25 of IowAccess projects.

26 3. For the fiscal year beginning July 1, 2011,
27 and ending June 30, 2012, there is appropriated from
28 the IowAccess revolving fund, to the office of the
29 secretary of state \$75,000 for costs associated with
30 decennial redistricting.

31 Sec. 6. STATE EMPLOYEE HEALTH INSURANCE
32 ADMINISTRATION CHARGE. For the fiscal year beginning
33 July 1, 2011, and ending June 30, 2012, the monthly per
34 contract administrative charge which may be assessed by
35 the department of administrative services shall be \$2
36 per contract on all health insurance plans administered
37 by the department.

38 Sec. 7. AUDITOR OF STATE.

39 1. There is appropriated from the general fund of
40 the state to the office of the auditor of state for the
41 fiscal year beginning July 1, 2011, and ending June 30,
42 2012, the following amount, or so much thereof as is
43 necessary, to be used for the purposes designated, and
44 for not more than the following full-time equivalent
45 positions:

46 For salaries, support, maintenance, and
47 miscellaneous purposes:

48	\$	905,468
49	FTEs	103.00

50 2. The auditor of state may retain additional

1 full-time equivalent positions as is reasonable and
2 necessary to perform governmental subdivision audits
3 which are reimbursable pursuant to section 11.20
4 or 11.21, to perform audits which are requested by
5 and reimbursable from the federal government, and
6 to perform work requested by and reimbursable from
7 departments or agencies pursuant to section 11.5A
8 or 11.5B. The auditor of state shall notify the
9 department of management, the legislative fiscal
10 committee, and the legislative services agency of the
11 additional full-time equivalent positions retained.

12 3. The auditor of state shall allocate resources
13 from the appropriation in this section solely for audit
14 work related to the comprehensive annual financial
15 report, federally required audits, and investigations
16 of embezzlement, theft, or other significant financial
17 irregularities until the audit of the comprehensive
18 annual financial report is complete.

19 Sec. 8. IOWA ETHICS AND CAMPAIGN DISCLOSURE
20 BOARD. There is appropriated from the general fund of
21 the state to the Iowa ethics and campaign disclosure
22 board for the fiscal year beginning July 1, 2011, and
23 ending June 30, 2012, the following amount, or so much
24 thereof as is necessary, for the purposes designated:

25 For salaries, support, maintenance, and
26 miscellaneous purposes, and for not more than the
27 following full-time equivalent positions:

28	\$	475,000
29	FTEs	5.00

30 Sec. 9. DEPARTMENT OF COMMERCE.

31 1. There is appropriated from the general fund
32 of the state to the department of commerce for the
33 fiscal year beginning July 1, 2011, and ending June 30,
34 2012, the following amounts, or so much thereof as is
35 necessary, for the purposes designated:

36 a. ALCOHOLIC BEVERAGES DIVISION

37 (1) For salaries, support, maintenance, and
38 miscellaneous purposes, and for not more than the
39 following full-time equivalent positions:

40	\$	1,220,391
41	FTEs	21.00

42 (2) Of the funds appropriated pursuant to this
43 paragraph, up to \$60,000 shall be used to establish
44 and implement a web-based alcohol compliance employee
45 training program for alcoholic beverage sales
46 personnel.

47 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

48 For salaries, support, maintenance, and
49 miscellaneous purposes, and for not more than the
50 following full-time equivalent positions:

1 \$ 600,353
2 FTEs 12.00
3 2. There is appropriated from the department of
4 commerce revolving fund created in section 546.12
5 to the department of commerce for the fiscal year
6 beginning July 1, 2011, and ending June 30, 2012, the
7 following amounts, or so much thereof as is necessary,
8 for the purposes designated:
9 a. BANKING DIVISION
10 For salaries, support, maintenance, and
11 miscellaneous purposes, and for not more than the
12 following full-time equivalent positions:
13 \$ 8,851,670
14 FTEs 80.00
15 b. CREDIT UNION DIVISION
16 For salaries, support, maintenance, and
17 miscellaneous purposes, and for not more than the
18 following full-time equivalent positions:
19 \$ 1,727,995
20 FTEs 19.00
21 c. INSURANCE DIVISION
22 (1) For salaries, support, maintenance, and
23 miscellaneous purposes, and for not more than the
24 following full-time equivalent positions:
25 \$ 4,983,244
26 FTEs 106.50
27 (2) The insurance division may reallocate
28 authorized full-time equivalent positions as necessary
29 to respond to accreditation recommendations or
30 requirements. The insurance division expenditures
31 for examination purposes may exceed the projected
32 receipts, refunds, and reimbursements, estimated
33 pursuant to section 505.7, subsection 7, including the
34 expenditures for retention of additional personnel,
35 if the expenditures are fully reimbursable and the
36 division first does both of the following:
37 (a) Notifies the department of management, the
38 legislative services agency, and the legislative fiscal
39 committee of the need for the expenditures.
40 (b) Files with each of the entities named in
41 subparagraph division (a) the legislative and
42 regulatory justification for the expenditures, along
43 with an estimate of the expenditures.
44 d. UTILITIES DIVISION
45 (1) For salaries, support, maintenance, and
46 miscellaneous purposes, and for not more than the
47 following full-time equivalent positions:
48 \$ 8,173,069
49 FTEs 79.00
50 (2) The utilities division may expend additional

1 funds, including funds for additional personnel, if
2 those additional expenditures are actual expenses which
3 exceed the funds budgeted for utility regulation and
4 the expenditures are fully reimbursable. Before the
5 division expends or encumbers an amount in excess of
6 the funds budgeted for regulation, the division shall
7 first do both of the following:

8 (a) Notify the department of management, the
9 legislative services agency, and the legislative fiscal
10 committee of the need for the expenditures.

11 (b) File with each of the entities named in
12 subparagraph division (a) the legislative and
13 regulatory justification for the expenditures, along
14 with an estimate of the expenditures.

15 (3) Notwithstanding sections 8.33 and 476.10 or
16 any other provisions to the contrary, any unencumbered
17 or unobligated balance of the appropriation made in
18 this paragraph for the utilities division or any other
19 operational appropriation made for the fiscal year
20 beginning July 1, 2011, and ending June 30, 2012,
21 that remains unused, unencumbered, or unobligated
22 at the close of the fiscal year shall not revert but
23 shall remain available to be used for purposes of the
24 energy-efficient building project authorized under
25 section 476.10B, or for relocation costs in succeeding
26 fiscal years.

27 (4) In addition to the funds otherwise appropriated
28 to the division in subparagraph (1), and contingent
29 upon the enactment of legislation during the 2011
30 legislative session relating to the permitting,
31 licensing, construction, and operation of nuclear
32 generation facilities and establishing rate-making
33 principles in relation thereto, for salaries, support,
34 maintenance, and miscellaneous purposes, and for not
35 more than the following full-time equivalent positions:

36	\$	500,000
37	FTEs	3.50

38 3. CHARGES. Each division and the office of
39 consumer advocate shall include in its charges
40 assessed or revenues generated an amount sufficient
41 to cover the amount stated in its appropriation and
42 any state-assessed indirect costs determined by the
43 department of administrative services.

44 Sec. 10. DEPARTMENT OF COMMERCE — PROFESSIONAL
45 LICENSING AND REGULATION BUREAU. There is appropriated
46 from the housing trust fund of the Iowa finance
47 authority created in section 16.181, to the bureau of
48 professional licensing and regulation of the banking
49 division of the department of commerce for the fiscal
50 year beginning July 1, 2011, and ending June 30,

1 2012, the following amount, or so much thereof as is
2 necessary, to be used for the purposes designated:
3 For salaries, support, maintenance, and
4 miscellaneous purposes:
5 \$ 62,317
6 Sec. 11. GOVERNOR AND LIEUTENANT GOVERNOR. There
7 is appropriated from the general fund of the state to
8 the offices of the governor and the lieutenant governor
9 for the fiscal year beginning July 1, 2011, and ending
10 June 30, 2012, the following amounts, or so much
11 thereof as is necessary, to be used for the purposes
12 designated:
13 For salaries, support, maintenance, and
14 miscellaneous purposes:
15 \$ 2,288,025
16 FTEs 22.88
17 Sec. 12. GOVERNOR'S OFFICE OF DRUG CONTROL
18 POLICY. There is appropriated from the general fund
19 of the state to the governor's office of drug control
20 policy for the fiscal year beginning July 1, 2011, and
21 ending June 30, 2012, the following amount, or so much
22 thereof as is necessary, to be used for the purposes
23 designated:
24 For salaries, support, maintenance, and
25 miscellaneous purposes, including statewide
26 coordination of the drug abuse resistance education
27 (D.A.R.E.) programs or similar programs, and for not
28 more than the following full-time equivalent positions:
29 \$ 290,000
30 FTEs 8.00
31 Sec. 13. DEPARTMENT OF HUMAN RIGHTS. There is
32 appropriated from the general fund of the state to
33 the department of human rights for the fiscal year
34 beginning July 1, 2011, and ending June 30, 2012, the
35 following amounts, or so much thereof as is necessary,
36 to be used for the purposes designated:
37 1. CENTRAL ADMINISTRATION DIVISION
38 For salaries, support, maintenance, and
39 miscellaneous purposes, and for not more than the
40 following full-time equivalent positions:
41 \$ 206,103
42 FTEs 7.00
43 2. COMMUNITY ADVOCACY AND SERVICES DIVISION
44 For salaries, support, maintenance, and
45 miscellaneous purposes, and for not more than the
46 following full-time equivalent positions:
47 \$ 1,028,077
48 FTEs 17.00
49 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
50 For salaries, support, maintenance, and

1 miscellaneous purposes, and for not more than the
 2 following full-time equivalent positions:
 3 \$ 1,023,892
 4 FTEs 10.00
 5 The criminal and juvenile justice planning advisory
 6 council and the juvenile justice advisory council
 7 shall coordinate their efforts in carrying out their
 8 respective duties relative to juvenile justice.
 9 Sec. 14. DEPARTMENT OF INSPECTIONS AND
 10 APPEALS. There is appropriated from the general fund
 11 of the state to the department of inspections and
 12 appeals for the fiscal year beginning July 1, 2011, and
 13 ending June 30, 2012, the following amounts, or so much
 14 thereof as is necessary, for the purposes designated:
 15 1. ADMINISTRATION DIVISION
 16 For salaries, support, maintenance, and
 17 miscellaneous purposes, and for not more than the
 18 following full-time equivalent positions:
 19 \$ 1,527,740
 20 FTEs 37.40
 21 2. ADMINISTRATIVE HEARINGS DIVISION
 22 For salaries, support, maintenance, and
 23 miscellaneous purposes, and for not more than the
 24 following full-time equivalent positions:
 25 \$ 528,753
 26 FTEs 23.00
 27 3. INVESTIGATIONS DIVISION
 28 a. For salaries, support, maintenance, and
 29 miscellaneous purposes, and for not more than the
 30 following full-time equivalent positions:
 31 \$ 1,168,639
 32 FTEs 58.50
 33 b. The department, in coordination with the
 34 investigations division, shall provide a report to
 35 the general assembly by January 10, 2012, concerning
 36 the fiscal impact of additional full-time equivalent
 37 positions on the department's efforts relative to the
 38 Medicaid divestiture program under chapter 249F.
 39 4. HEALTH FACILITIES DIVISION
 40 a. For salaries, support, maintenance, and
 41 miscellaneous purposes, and for not more than the
 42 following full-time equivalent positions:
 43 \$ 3,555,328
 44 FTEs 134.75
 45 b. The department shall, in coordination with
 46 the health facilities division, make the following
 47 information available to the public in a timely
 48 manner, to include providing the information on the
 49 department's internet website, during the fiscal year
 50 beginning July 1, 2011, and ending June 30, 2012:

1 (1) The number of inspections conducted by the
2 division annually by type of service provider and type
3 of inspection.

4 (2) The total annual operations budget for the
5 division, including general fund appropriations and
6 federal contract dollars received by type of service
7 provider inspected.

8 (3) The total number of full-time equivalent
9 positions in the division, to include the number of
10 full-time equivalent positions serving in a supervisory
11 capacity, and serving as surveyors, inspectors, or
12 monitors in the field by type of service provider
13 inspected.

14 (4) Identification of state and federal survey
15 trends, cited regulations, the scope and severity of
16 deficiencies identified, and federal and state fines
17 assessed and collected concerning nursing and assisted
18 living facilities and programs.

19 c. It is the intent of the general assembly that
20 the department and division continuously solicit input
21 from facilities regulated by the division to assess and
22 improve the division's level of collaboration and to
23 identify new opportunities for cooperation.

24 5. EMPLOYMENT APPEAL BOARD

25 a. For salaries, support, maintenance, and
26 miscellaneous purposes, and for not more than the
27 following full-time equivalent positions:

28 \$ 42,215
29 FTEs 14.00

30 b. The employment appeal board shall be reimbursed
31 by the labor services division of the department
32 of workforce development for all costs associated
33 with hearings conducted under chapter 91C, related
34 to contractor registration. The board may expend,
35 in addition to the amount appropriated under this
36 subsection, additional amounts as are directly billable
37 to the labor services division under this subsection
38 and to retain the additional full-time equivalent
39 positions as needed to conduct hearings required
40 pursuant to chapter 91C.

41 6. CHILD ADVOCACY BOARD

42 a. For foster care review and the court appointed
43 special advocate program, including salaries, support,
44 maintenance, and miscellaneous purposes, and for not
45 more than the following full-time equivalent positions:

46 \$ 2,680,290
47 FTEs 40.80

48 b. The department of human services, in
49 coordination with the child advocacy board and the
50 department of inspections and appeals, shall submit an

1 application for funding available pursuant to Tit. IV-E
2 of the federal Social Security Act for claims for child
3 advocacy board administrative review costs.

4 c. The court appointed special advocate program
5 shall investigate and develop opportunities for
6 expanding fund-raising for the program.

7 d. Administrative costs charged by the department
8 of inspections and appeals for items funded under this
9 subsection shall not exceed 4 percent of the amount
10 appropriated in this subsection.

11 Sec. 15. DEPARTMENT OF INSPECTIONS AND APPEALS
12 — MUNICIPAL CORPORATION FOOD INSPECTIONS. For the
13 fiscal year beginning July 1, 2011, and ending June 30,
14 2012, the department of inspections and appeals shall
15 retain any license fees generated during the fiscal
16 year as a result of actions under section 137F.3A
17 occurring during the period beginning July 1, 2009, and
18 ending June 30, 2011, for the purpose of enforcing the
19 provisions of chapters 137C, 137D, and 137F.

20 Sec. 16. DEPARTMENT OF INSPECTIONS AND APPEALS —
21 HEALTH CARE FACILITIES INSPECTIONS. Notwithstanding
22 any provision of section 135C.16 to the contrary,
23 inspections of health care facilities that are only
24 state-licensed and not certified under the Medicare
25 or Medicaid programs shall not be inspected by the
26 department of inspections and appeals every thirty
27 months, but only as provided pursuant to sections
28 135C.9 and 135C.38.

29 Sec. 17. DEPARTMENT OF INSPECTIONS AND
30 APPEALS — GENERAL SUPPORT — MEDICAID FRAUD FUND
31 APPROPRIATION. There is appropriated from the Medicaid
32 fraud fund created in section 249A.7 to the health
33 facilities division of the department of inspections
34 and appeals for the fiscal year beginning July 1, 2011,
35 and ending June 30, 2012, the following amount, or
36 so much thereof as is necessary, to be used for the
37 purposes designated:

38 For salaries, support, maintenance, and
39 miscellaneous purposes:
40 \$ 650,000

41 Sec. 18. DEPARTMENT OF INSPECTIONS AND APPEALS
42 — STATE MATCH REQUIREMENTS — MEDICAID FRAUD FUND
43 APPROPRIATION. There is appropriated from the Medicaid
44 fraud fund created in section 249A.7 to the department
45 of inspections and appeals for the fiscal year
46 beginning July 1, 2011, and ending June 30, 2012, the
47 amounts necessary for the purposes designated:

48 1. To cover the cost of any state match to draw
49 down matching federal funds through the department of
50 human services for additional full-time equivalent

1 positions for conducting investigations of alleged
2 fraud and overpayments of food assistance benefits
3 through electronic benefits transfer.

4 2. For the state financial match requirement
5 for meeting the federal mandates connected with the
6 department's Medicaid fraud and abuse activities, and
7 the amount necessary to cover costs incurred by the
8 department or other agencies in providing regulation,
9 responding to allegations, or other activity involving
10 chapter 1350.

11 Sec. 19. DEPARTMENT OF INSPECTIONS AND APPEALS
12 — LEGISLATIVE IMPLEMENTATION — MEDICAID FRAUD FUND
13 APPROPRIATION. There is appropriated from the Medicaid
14 fraud fund created in section 249A.7 to the department
15 of inspections and appeals for the fiscal year
16 beginning July 1, 2011, and ending June 30, 2012, the
17 following amount, or so much thereof as is necessary,
18 to be used for the purposes designated:

19 For salaries, support, maintenance, miscellaneous
20 purposes, administration, and other costs associated
21 with implementation of 2010 Iowa Acts, chapter 1177:
22 \$ 250,000

23 Sec. 20. RACING AND GAMING COMMISSION.

24 1. RACETRACK REGULATION

25 There is appropriated from the gaming regulatory
26 revolving fund established in section 99F.20 to the
27 racing and gaming commission of the department of
28 inspections and appeals for the fiscal year beginning
29 July 1, 2011, and ending June 30, 2012, the following
30 amount, or so much thereof as is necessary, to be used
31 for the purposes designated:

32 For salaries, support, maintenance, and
33 miscellaneous purposes for the regulation of
34 pari-mutuel racetracks, and for not more than the
35 following full-time equivalent positions:

36 \$ 2,511,440
37 FTEs 28.53

38 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

39 There is appropriated from the gaming regulatory
40 revolving fund established in section 99F.20 to the
41 racing and gaming commission of the department of
42 inspections and appeals for the fiscal year beginning
43 July 1, 2011, and ending June 30, 2012, the following
44 amount, or so much thereof as is necessary, to be used
45 for the purposes designated:

46 For salaries, support, maintenance, and
47 miscellaneous purposes for administration and
48 enforcement of the excursion boat gambling and gambling
49 structure laws, and for not more than the following
50 full-time equivalent positions:

1 \$ 3,078,100
2 FTEs 44.22
3 Sec. 21. ROAD USE TAX FUND APPROPRIATION —
4 DEPARTMENT OF INSPECTIONS AND APPEALS. There is
5 appropriated from the road use tax fund created in
6 section 312.1 to the administrative hearings division
7 of the department of inspections and appeals for the
8 fiscal year beginning July 1, 2011, and ending June 30,
9 2012, the following amount, or so much thereof as is
10 necessary, for the purposes designated:
11 For salaries, support, maintenance, and
12 miscellaneous purposes:
13 \$ 1,623,897
14 Sec. 22. DEPARTMENT OF MANAGEMENT.
15 1. There is appropriated from the general fund
16 of the state to the department of management for the
17 fiscal year beginning July 1, 2011, and ending June 30,
18 2012, the following amounts, or so much thereof as is
19 necessary, to be used for the purposes designated:
20 For salaries, support, maintenance, and
21 miscellaneous purposes, and for not more than the
22 following full-time equivalent positions:
23 \$ 2,393,998
24 FTEs 25.00
25 2. Of the moneys appropriated in this section, the
26 department shall use a portion for enterprise resource
27 planning, providing for a salary model administrator,
28 conducting performance audits, and for the department's
29 LEAN process.
30 Sec. 23. ROAD USE TAX APPROPRIATION — DEPARTMENT
31 OF MANAGEMENT. There is appropriated from the road use
32 tax fund created in section 312.1 to the department
33 of management for the fiscal year beginning July 1,
34 2011, and ending June 30, 2012, the following amount,
35 or so much thereof as is necessary, to be used for the
36 purposes designated:
37 For salaries, support, maintenance, and
38 miscellaneous purposes:
39 \$ 56,000
40 Sec. 24. DEPARTMENT OF REVENUE.
41 1. There is appropriated from the general fund
42 of the state to the department of revenue for the
43 fiscal year beginning July 1, 2011, and ending June 30,
44 2012, the following amounts, or so much thereof as is
45 necessary, to be used for the purposes designated:
46 For salaries, support, maintenance, and
47 miscellaneous purposes, and for not more than the
48 following full-time equivalent positions:
49 \$ 17,659,484
50 FTEs 303.48

1 2. Of the funds appropriated pursuant to this
2 section, \$400,000 shall be used to pay the direct
3 costs of compliance related to the collection and
4 distribution of local sales and services taxes imposed
5 pursuant to chapters 423B and 423E.

6 3. The director of revenue shall prepare and issue
7 a state appraisal manual and the revisions to the
8 state appraisal manual as provided in section 421.17,
9 subsection 17, without cost to a city or county.

10 Sec. 25. MOTOR VEHICLE FUEL TAX
11 APPROPRIATION. There is appropriated from the motor
12 fuel tax fund created by section 452A.77 to the
13 department of revenue for the fiscal year beginning
14 July 1, 2011, and ending June 30, 2012, the following
15 amount, or so much thereof as is necessary, to be used
16 for the purposes designated:

17 For salaries, support, maintenance, miscellaneous
18 purposes, and for administration and enforcement of the
19 provisions of chapter 452A and the motor vehicle use
20 tax program:

21 \$ 1,305,775

22 Sec. 26. SECRETARY OF STATE.

23 1. There is appropriated from the general fund of
24 the state to the office of the secretary of state for
25 the fiscal year beginning July 1, 2011, and ending June
26 30, 2012, the following amounts, or so much thereof as
27 is necessary, to be used for the purposes designated:

28 For salaries, support, maintenance, and miscellaneous
29 purposes, and for not more than the following full-time
30 equivalent positions:

31 \$ 2,895,585

32 FTEs 45.00

33 2. The state department or state agency which
34 provides data processing services to support voter
35 registration file maintenance and storage shall provide
36 those services without charge.

37 Sec. 27. SECRETARY OF STATE FILING FEES REFUND.
38 Notwithstanding the obligation to collect fees pursuant
39 to the provisions of section 490.122, subsection 1,
40 paragraphs "a" and "s", and section 504.113, subsection
41 1, paragraphs "a", "c", "d", "j", "k", "l", and
42 "m", for the fiscal year beginning July 1, 2011, the
43 secretary of state may refund these fees to the filer
44 pursuant to rules established by the secretary of
45 state. The decision of the secretary of state not to
46 issue a refund under rules established by the secretary
47 of state is final and not subject to review pursuant
48 to chapter 17A.

49 Sec. 28. TREASURER.

50 1. There is appropriated from the general fund of

1 the state to the office of treasurer of state for the
2 fiscal year beginning July 1, 2011, and ending June 30,
3 2012, the following amount, or so much thereof as is
4 necessary, to be used for the purposes designated:

5 For salaries, support, maintenance, and
6 miscellaneous purposes, and for not more than the
7 following full-time equivalent positions:
8 \$ 854,289
9 FTEs 28.80

10 2. The office of treasurer of state shall supply
11 clerical and secretarial support for the executive
12 council.

13 Sec. 29. ROAD USE TAX APPROPRIATION — OFFICE
14 OF TREASURER OF STATE. There is appropriated from
15 the road use tax fund created in section 312.1 to
16 the office of treasurer of state for the fiscal year
17 beginning July 1, 2011, and ending June 30, 2012, the
18 following amount, or so much thereof as is necessary,
19 to be used for the purposes designated:

20 For enterprise resource management costs related to
21 the distribution of road use tax funds:
22 \$ 93,148

23 Sec. 30. IPERS — GENERAL OFFICE. There is
24 appropriated from the Iowa public employees' retirement
25 system fund to the Iowa public employees' retirement
26 system for the fiscal year beginning July 1, 2011, and
27 ending June 30, 2012, the following amount, or so much
28 thereof as is necessary, to be used for the purposes
29 designated:

30 For salaries, support, maintenance, and other
31 operational purposes to pay the costs of the Iowa
32 public employees' retirement system, and for not more
33 than the following full-time equivalent positions:
34 \$ 17,686,968
35 FTEs 90.13

36 Sec. 31. STATE CAPITOL SIDEWALK HEATING —
37 DISCONNECTION. The department of administrative
38 services shall disconnect electricity to the heated
39 sidewalk installed in the entry walkway on the East
40 side of the state capitol building, and shall not
41 reconnect the electricity without the authorization of
42 the general assembly.

43 Sec. 32. Section 8A.111, subsection 4, Code 2011,
44 is amended by striking the subsection.

45 Sec. 33. Section 8A.311, subsection 15, Code 2011,
46 is amended to read as follows:

47 15. a. A bidder awarded, to be considered for an
48 award of a state construction contract, shall disclose
49 to the state agency awarding the contract the names of
50 all subcontractors, and suppliers who will work on the

1 project being bid, within forty-eight hours after the
2 ~~award of the contract~~ published date and time by which
3 bids must be submitted.

4 b. A bidder shall not replace a subcontractor or
5 supplier disclosed under paragraph "a" without the
6 approval of the state agency awarding the contract.

7 c. A bidder, prior to an award or who is awarded a
8 state construction contract, shall disclose all of the
9 following, as applicable:

10 b. (1) If a subcontractor named or supplier
11 disclosed under paragraph "a" by a bidder awarded
12 a state construction contract is replaced, or if
13 the reason for replacement and the name of the new
14 subcontractor or supplier.

15 (2) If the cost of work to be done by a
16 subcontractor or supplier is reduced, the bidder shall
17 disclose the name of the new subcontractor or changed
18 or if the replacement of a subcontractor or supplier
19 results in a change in the cost, the amount of the
20 reduced change in cost.

21 Sec. 34. Section 8A.315, subsection 1, paragraph d,
22 Code 2011, is amended by striking the paragraph.

23 Sec. 35. Section 8A.321, subsection 6, Code 2011,
24 is amended to read as follows:

25 6. a. Lease all buildings and office space
26 necessary to carry out the provisions of this
27 subchapter or necessary for the proper functioning of
28 any state agency ~~at the seat of government wherever~~
29 located throughout the state. For state agencies
30 at the seat of government, the director may lease
31 buildings and office space in Polk county or in a
32 county contiguous to Polk county. If no specific
33 appropriation has been made, the proposed lease
34 shall be submitted to the executive council for
35 approval. The cost of any lease for which no specific
36 appropriation has been made shall be paid from the fund
37 provided in section 7D.29. Additionally, the director
38 shall also develop cooperative relationships with the
39 state board of regents in order to promote colocation
40 of state agencies.

41 b. When the general assembly is not in session,
42 the director may request moneys from the executive
43 council for moving state agencies ~~located at the seat~~
44 ~~of government~~ from one location to another. The
45 request may include moving costs, telecommunications
46 costs, repair costs, or any other costs relating to the
47 move. The executive council may approve and shall pay
48 the costs from funds provided in section 7D.29 if it
49 determines the agency or department has no available
50 funds for these expenses.

1 ~~c. Coordinate the leasing of buildings and office~~
2 ~~space by state agencies throughout the state and~~
3 ~~develop cooperative relationships with the state board~~
4 ~~of regents in order to promote the colocation of state~~
5 ~~agencies.~~

6 Sec. 36. Section 8A.327, subsection 1, Code 2011,
7 is amended to read as follows:

8 1. A rent revolving fund is created in the state
9 treasury under the control of the department to be used
10 by the department to pay the lease or rental costs of
11 all buildings and office space necessary for the proper
12 functioning of any state agency ~~at the seat of state~~
13 ~~government wherever located throughout the state as~~
14 provided in section 8A.321, subsection 6, except that
15 this fund shall not be used to pay the rental or lease
16 costs of a state agency which has not received funds
17 budgeted for rental or lease purposes.

18 Sec. 37. Section 8A.361, Code 2011, is amended to
19 read as follows:

20 **8A.361 Vehicle assignment — authority in**
21 **department.**

22 The department shall provide for the assignment of
23 all ~~state-owned~~ motor vehicles ~~to~~ utilized by all state
24 officers and employees, and ~~to~~ by all state offices,
25 departments, bureaus, and commissions, except the state
26 department of transportation, institutions under the
27 control of the state board of regents, the department
28 for the blind, and any other agencies exempted by law.

29 Sec. 38. Section 8A.362, subsection 4, paragraphs a
30 through c, Code 2011, are amended to read as follows:

31 a. The director shall provide for the purchase
32 of all motor vehicles for all branches of the
33 state government, except the state department of
34 transportation, institutions under the control of the
35 state board of regents, the department for the blind,
36 and any other state agency exempted by law, which are
37 not rented or leased pursuant to section 8A.367. The
38 director shall purchase new vehicles in accordance with
39 competitive bidding procedures for items or services as
40 provided in this subchapter. The director may purchase
41 used or preowned vehicles at governmental or dealer
42 auctions if the purchase is determined to be in the
43 best interests of the state.

44 b. The director, and any other state agency,
45 which for purposes of this subsection includes but is
46 not limited to community colleges and institutions
47 under the control of the state board of regents, or
48 local governmental subdivisions purchasing new motor
49 vehicles, shall purchase new passenger motor vehicles
50 and light trucks, which are not rented or leased

1 pursuant to section 8A.367, so that the average fuel
2 efficiency for the fleet of new passenger vehicles and
3 light trucks purchased in that year equals or exceeds
4 the average fuel economy standard for the vehicles'
5 model year as established by the United States
6 secretary of transportation under 15 U.S.C. § 2002.
7 This paragraph does not apply to vehicles purchased
8 for law enforcement purposes or used for off-road
9 maintenance work, or work vehicles used to pull loaded
10 trailers.

11 c. Not later than June 15 of each year, the
12 director shall report compliance with the corporate
13 average fuel economy standards published by the United
14 States secretary of transportation for ~~new~~ assigned
15 motor vehicles, other than motor vehicles purchased by
16 the state department of transportation, institutions
17 under the control of the state board of regents, the
18 department for the blind, and any other state agency
19 exempted from the requirements of this subsection.
20 The report of compliance shall classify the vehicles
21 ~~purchased~~ assigned for the current vehicle model year
22 using the following categories: passenger automobiles,
23 enforcement automobiles, vans, and light trucks.
24 The director shall deliver a copy of the report to
25 the office of energy independence. As used in this
26 paragraph, "*corporate average fuel economy*" means the
27 corporate average fuel economy as defined in 49 C.F.R.
28 § 533.5.

29 Sec. 39. Section 8A.362, subsection 5, Code 2011,
30 is amended by striking the subsection.

31 Sec. 40. Section 8A.362, subsections 7 through 9,
32 Code 2011, are amended to read as follows:

33 7. The director may authorize the establishment
34 of motor pools consisting of a number of ~~state-owned~~
35 state-assigned motor vehicles under the director's
36 supervision. The director may store the motor vehicles
37 in a public or private garage. If the director
38 establishes a motor pool, any state officer or employee
39 desiring the use of a ~~state-owned~~ state-assigned motor
40 vehicle on state business shall notify the director
41 of the need for a vehicle within a reasonable time
42 prior to actual use of the motor vehicle. The director
43 may assign a motor vehicle from the motor pool to the
44 state officer or employee, or from the vendor awarded
45 a contract pursuant to section 8A.367. If two or
46 more state officers or employees desire the use of a
47 ~~state-owned~~ state-assigned motor vehicle for a trip to
48 the same destination for the same length of time, the
49 director may assign one vehicle to make the trip.

50 8. The director shall require that a sign be placed

1 on each state-owned motor vehicle in a conspicuous
2 place which indicates its ownership by the state.
3 This requirement shall not apply to motor vehicles
4 requested to be exempt by the director or by the
5 commissioner of public safety. All state-owned motor
6 vehicles shall display registration plates bearing the
7 word "official" except motor vehicles requested to be
8 furnished with ordinary plates by the director or by
9 the commissioner of public safety pursuant to section
10 321.19. The director shall keep an accurate record
11 of the registration plates used on all state-owned
12 motor vehicles. This subsection shall not apply to an
13 assigned vehicle rented or leased pursuant to section
14 8A.367.

15 9. All fuel used in ~~state-owned~~ state-assigned
16 automobiles shall be purchased at cost from the various
17 installations or garages of the state department of
18 transportation, state board of regents, department of
19 human services, or state motor pools throughout the
20 state, unless the state-owned sources for the purchase
21 of fuel are not reasonably accessible. If the director
22 determines that state-owned sources for the purchase of
23 fuel are not reasonably accessible, the director shall
24 authorize the purchase of fuel from other sources. The
25 director may prescribe a manner, other than the use
26 of the revolving fund, in which the purchase of fuel
27 from state-owned sources is charged to the state agency
28 responsible for the use of the motor vehicle. The
29 director shall prescribe the manner in which oil and
30 other normal motor vehicle maintenance for state-owned
31 motor vehicles may be purchased from private sources,
32 if they cannot be reasonably obtained from a state
33 motor pool. The director may advertise for bids and
34 award contracts in accordance with competitive bidding
35 procedures for items and services as provided in
36 this subchapter for furnishing fuel, oil, grease, and
37 vehicle replacement parts for all state-owned motor
38 vehicles. The director and other state agencies, when
39 advertising for bids for gasoline, shall also seek bids
40 for ethanol blended gasoline.

41 Sec. 41. Section 8A.363, subsection 1, Code 2011,
42 is amended to read as follows:

43 1. A state officer or employee shall not use a
44 ~~state-owned~~ state-assigned motor vehicle for personal
45 private use. A state officer or employee shall not be
46 compensated for driving a privately owned motor vehicle
47 unless it is done on state business with the approval
48 of the director. In that case the state officer or
49 employee shall receive an amount to be determined by
50 the director. The amount shall not exceed the maximum

1 allowable under the federal internal revenue service
2 rules per mile, notwithstanding established mileage
3 requirements or depreciation allowances. However, the
4 director may authorize private motor vehicle rates in
5 excess of the rate allowed under the federal internal
6 revenue service rules for state business use of
7 substantially modified or specially equipped privately
8 owned vehicles required by persons with disabilities.
9 A statutory provision establishing reimbursement for
10 necessary mileage, travel, or actual expenses to a
11 state officer falls under the private motor vehicle
12 mileage rate limitation provided in this section
13 unless specifically provided otherwise. Any peace
14 officer employed by the state as defined in section
15 801.4 who is required to use a private motor vehicle
16 in the performance of official duties shall receive
17 the private vehicle mileage rate at the rate provided
18 in this section. However, the director may delegate
19 authority to officials of the state, and department
20 heads, for the use of private vehicles on state
21 business up to a yearly mileage figure established
22 by the director. If a state motor vehicle has been
23 assigned to a state officer or employee, the officer
24 or employee shall not collect mileage for the use of a
25 privately owned motor vehicle unless the state motor
26 vehicle assigned is not usable.

27 **Sec. 42. NEW SECTION. 8A.367 State-owned passenger**
28 **vehicles — disposition and sale — fleet privatization.**

29 1. For purposes of this section, "*passenger*
30 *vehicles*" means United States environmental protection
31 agency designated compact sedans, compact wagons,
32 midsize sedans, midsize wagons, full-size sedans,
33 and passenger minivans, and additional vehicle
34 classes determined by the department to be able to be
35 reasonably supported by a private entity for rental or
36 leasing. "*Passenger vehicles*" does not mean utility
37 vehicles, vans other than passenger minivans, fire
38 trucks, ambulances, motor homes, buses, medium-duty and
39 heavy-duty trucks, heavy construction equipment and
40 other highway maintenance vehicles, vehicles assigned
41 for law enforcement purposes, and any other classes
42 of vehicles of limited application approved by the
43 director of the department of administrative services.

44 2. On or before September 30, 2011, the department
45 shall implement a request for proposal process to enter
46 into a contract for the purpose of state passenger
47 vehicle rental or leasing from a private entity.
48 Prior to awarding a contract, a private entity shall
49 demonstrate the following:

50 a. Existence of sufficient inventory of passenger

1 vehicles within this state to accommodate the needs of
2 the state in assigning passenger vehicles.

3 **b.** Existence of adequate personnel in any county
4 within the state where rental and leasing activity can
5 be supported to satisfy the terms of the contract in
6 renting or leasing state-assigned vehicles.

7 **c.** Existence of adequate personnel to facilitate
8 the sale and disposition of the existing state-owned
9 passenger vehicles returned to the department pursuant
10 to subsection 3 or otherwise under the control of the
11 department. Notwithstanding the provisions of section
12 8A.364 to the contrary, proceeds from the sale of
13 motor vehicles as provided by this subsection shall be
14 credited to the fund from which the motor vehicles were
15 purchased.

16 3. By March 1, 2012, the department shall award
17 a vehicle rental or leasing contract to a private
18 entity, and shall assign passenger vehicles for rental
19 or lease pursuant to that contract, to the extent the
20 department determines doing so would be economically
21 feasible and financially advantageous. By March 1,
22 2012, all state-assigned passenger vehicles designated
23 for use by multiple drivers, and located in any county
24 of this state which can support the operation of a
25 private entity for rental and leasing purposes, which
26 the department determines would be suitable for rental
27 or leasing shall be returned to the department for use
28 and disposition as provided in this section.

29 4. Notwithstanding any other provision of state law
30 to the contrary, a private entity awarded a contract
31 pursuant to this section shall not be required to
32 indemnify or hold harmless the state for any liability
33 the state might have to any third party due to the
34 negligence of the state or any of its employees.

35 5. The department shall conduct an ongoing
36 evaluation regarding the economic advantages of
37 renting or leasing state-assigned vehicles versus state
38 ownership of such vehicles, and shall accordingly
39 adjust the number of vehicles subject to the rental and
40 leasing contract pursuant to this section at intervals
41 specified in the contract.

42 Sec. 43. Section 8A.512, subsection 2, Code 2011,
43 is amended by striking the subsection.

44 Sec. 44. **NEW SECTION. 8A.512A Executive branch**
45 **employee travel — information and database.**

46 1. The department shall develop and maintain the
47 following:

48 **a.** An electronic travel authorization form to be
49 used for any executive branch employee's out-of-state
50 travel, conference, or related expenditures associated

1 with the employee's official duties. The electronic
2 travel authorization form shall include all of the
3 following:
4 (1) The identification of the employee, the
5 employee's title, and the employee's department or
6 agency.
7 (2) The travel departure point and destination
8 point.
9 (3) The reason for the travel.
10 (4) The estimated reimbursable expenses.
11 (5) The date or dates upon which the travel is to
12 occur.
13 b. A searchable database available on the
14 department's internet site containing information
15 related to all executive branch employee travel that
16 includes all of the following:
17 (1) The identification of the employee who engaged
18 in the travel, the employee's department or agency, and
19 the employee's title.
20 (2) The travel departure point and destination
21 point.
22 (3) The reason for the travel.
23 (4) The actual amount of expenses reimbursed.
24 (5) The date or dates upon which the travel
25 occurred.
26 c. Notwithstanding paragraph "b" of this
27 subsection, the searchable database shall not
28 include information regarding travel by officers and
29 employees of the department of public safety occurring
30 in relation to or during the course of criminal
31 investigations, including but not limited to undercover
32 operations.
33 2. A claim for reimbursement for any out-of-state
34 travel, conference, or related expenditures shall
35 only be allowed after the occurrence of both of the
36 following:
37 a. The electronic travel authorization form is
38 approved by the head of the employee's department.
39 b. The request for reimbursement is submitted by
40 the employee on the appropriate form with required
41 approvals.
42 3. For purposes of this section, "executive branch
43 employee" means an employee of the executive branch
44 as defined in section 7E.2, other than a member or
45 employee of the state board of regents and institutions
46 under the control of the state board of regents.
47 Sec. 45. Section 22.3A, subsection 1, paragraph e,
48 Code 2011, is amended to read as follows:
49 e. "Data processing software" means an ordered set
50 of instructions or statements that, when executed by

1 a computer, causes the computer to process data, and
2 includes any program or set of programs, procedures,
3 or routines used to employ and control capabilities of
4 computer hardware. As used in this paragraph "data
5 processing software" includes but is not limited to an
6 operating system, compiler, assembler, utility, library
7 resource, maintenance routine, application, or computer
8 networking program, or the associated documentation.

9 Sec. 46. Section 99D.14, subsection 2, Code 2011,
10 is amended by adding the following new paragraph:

11 NEW PARAGRAPH. c. Notwithstanding sections 8.60
12 and 99D.17, the portion of the fee paid pursuant to
13 paragraph "a" relating to the costs of the commission,
14 shall not be deposited in the general fund of the
15 state but instead shall be deposited into the gaming
16 regulatory revolving fund established in section
17 99F.20.

18 Sec. 47. Section 99F.10, subsection 4, Code 2011,
19 is amended by adding the following new paragraph:

20 NEW PARAGRAPH. c. Notwithstanding sections 8.60
21 and 99F.4, the portion of the fee paid pursuant to
22 paragraph "a" relating to the costs of the commission,
23 shall not be deposited in the general fund of the
24 state but instead shall be deposited into the gaming
25 regulatory revolving fund established in section
26 99F.20.

27 Sec. 48. NEW SECTION. 99F.20 Gaming regulatory
28 revolving fund.

29 1. A gaming regulatory revolving fund is created in
30 the state treasury under the control of the department
31 of inspections and appeals. The fund shall consist
32 of fees collected and deposited into the fund paid by
33 licensees pursuant to section 99D.14, subsection 2,
34 paragraph "c", and fees paid by licensees pursuant to
35 section 99F.10, subsection 4, paragraph "c". All costs
36 relating to racetrack, excursion boat, and gambling
37 structure regulation shall be paid from the fund as
38 provided in appropriations made for this purpose by
39 the general assembly. The department shall provide
40 quarterly reports to the department of management and
41 the legislative services agency specifying revenues
42 billed and collected and expenditures from the fund in
43 a format as determined by the department of management
44 in consultation with the legislative services agency.

45 2. To meet the department's cash flow needs, the
46 department may temporarily use funds from the general
47 fund of the state to pay expenses in excess of moneys
48 available in the revolving fund if those additional
49 expenditures are fully reimbursable and the department
50 reimburses the general fund of the state and ensures

1 all moneys are repaid in full by the close of the
2 fiscal year. Notwithstanding any provision to the
3 contrary, the department shall, to the fullest extent
4 possible, make an estimate of billings and make such
5 billings as early as possible in each fiscal year,
6 so that the need for the use of general fund moneys
7 is minimized to the lowest extent possible. Periodic
8 billings shall be deemed sufficient to satisfy this
9 requirement. Because any general fund moneys used
10 shall be fully reimbursed, such temporary use of funds
11 from the general fund of the state shall not constitute
12 an appropriation for purposes of calculating the state
13 general fund expenditure limitation pursuant to section
14 8.54.

15 3. Section 8.33 does not apply to any moneys
16 credited or appropriated to the revolving fund from any
17 other fund.

18 4. The establishment of the revolving fund pursuant
19 to this section shall not be interpreted in any manner
20 to compromise or impact the accountability of, or limit
21 authority with respect to, the department under state
22 law. Any provision applicable to, or responsibility
23 of, the department shall not be altered or impacted by
24 the existence of the fund and shall remain applicable
25 to the same extent as if the department were receiving
26 moneys pursuant to a general fund appropriation. The
27 department shall comply with directions by the governor
28 to executive branch departments regarding restrictions
29 on out-of-state travel, hiring justifications,
30 association memberships, equipment purchases,
31 consulting contracts, and any other expenditure
32 efficiencies that the governor deems appropriate.

33 Sec. 49. Section 249A.7, subsection 3, as amended
34 by 2011 Iowa Acts, House File 389, section 1, is
35 amended by striking the subsection and inserting in
36 lieu thereof the following:

37 3. a. A Medicaid fraud fund is created in the
38 state treasury under the authority of the department
39 of inspections and appeals. Moneys from penalties,
40 investigative costs recouped by the Medicaid fraud
41 control unit, and other amounts received as a result of
42 prosecutions involving the department of inspections
43 and appeals investigations and audits to ensure
44 compliance with the medical assistance program that are
45 not credited to the program shall be credited to the
46 fund.

47 b. Notwithstanding section 8.33, moneys credited
48 to the fund from any other account or fund shall not
49 revert to the other account or fund. Moneys in the
50 fund shall only be used as provided in appropriations

1 from the fund and shall be used in accordance with
2 applicable laws, regulations, and the policies of
3 the office of inspector general of the United States
4 department of health and human services.

5 c. For the purposes of this subsection,
6 "*investigative costs*" means the reasonable value of a
7 Medicaid fraud control unit investigator's, auditor's
8 or employee's time, any moneys expended by the Medicaid
9 fraud control unit, and the reasonable fair market
10 value of resources used or expended by the Medicaid
11 fraud control unit in a case resulting in a criminal
12 conviction of a provider under this chapter or chapter
13 714 or 715A.

14 Sec. 50. Section 542.3, subsection 1, paragraph
15 a, subparagraph (3), Code 2011, is amended to read as
16 follows:

17 ~~(3) An examination of prospective financial~~
18 ~~information~~ Any engagement to be performed in
19 accordance with the statements on standards for
20 attestation engagements.

21 Sec. 51. Section 546.12, Code 2011, is amended to
22 read as follows:

23 **546.12 Department of commerce revolving fund.**

24 1. A department of commerce revolving fund is
25 created in the state treasury. The fund shall consist
26 of moneys collected by the banking division; credit
27 union division; utilities division, including moneys
28 collected on behalf of the office of consumer advocate
29 established in section 475A.3; and the insurance
30 division of the department; and deposited into an
31 account for that division or office within the fund
32 on a monthly basis. Except as otherwise provided by
33 statute, all costs for operating the office of consumer
34 advocate and the banking division, the credit union
35 division, the utilities division, and the insurance
36 division of the department shall be paid from the
37 division's accounts within the fund, subject to
38 appropriation by the general assembly. The insurance
39 division shall administer the fund and all other
40 divisions shall work with the insurance division to
41 make sure the fund is properly accounted and reported
42 to the department of management and the department of
43 administrative services. The divisions shall provide
44 quarterly reports to the department of management and
45 the legislative services agency on revenues billed
46 and collected and expenditures from the fund in a
47 format as determined by the department of management in
48 consultation with the legislative services agency.

49 2. To meet cash flow needs for the office of
50 consumer advocate and the banking division, credit

1 union division, utilities division, or the insurance
2 division of the department, the administrative head of
3 that division or office may temporarily use funds from
4 the general fund of the state to pay expenses in excess
5 of moneys available in the revolving fund for that
6 division or office if those additional expenditures
7 are fully reimbursable and the division or office
8 reimburses the general fund of the state and ensures
9 all moneys are repaid in full by the close of the
10 fiscal year. Notwithstanding any provision to the
11 contrary, the divisions shall, to the fullest extent
12 possible, make an estimate of billings and make such
13 billings as early as possible in each fiscal year,
14 so that the need for the use of general fund moneys
15 is minimized to the lowest extent possible. Periodic
16 billings shall be deemed sufficient to satisfy this
17 requirement. Because any general fund moneys used
18 shall be fully reimbursed, such temporary use of funds
19 from the general fund of the state shall not constitute
20 an appropriation for purposes of calculating the state
21 general fund expenditure limitation pursuant to section
22 8.54.

23 3. Section 8.33 does not apply to any moneys
24 credited or appropriated to the revolving fund from any
25 other fund.

26 4. The establishment of the revolving fund pursuant
27 to this section shall not be interpreted in any manner
28 to compromise or impact the accountability of, or
29 limit authority with respect to, an agency or entity
30 under state law. Any provision applicable to, or
31 responsibility of, a division or office collecting
32 moneys for deposit into the fund established pursuant
33 to this section shall not be altered or impacted by
34 the existence of the fund and shall remain applicable
35 to the same extent as if the division or office
36 were receiving moneys pursuant to a general fund
37 appropriation. Appropriations from the revolving
38 fund shall not be subject to the provisions of section
39 8.31, subsection 5. The divisions of the department of
40 commerce shall comply with directions by the governor
41 to executive branch departments regarding restrictions
42 on out-of-state travel, hiring justifications,
43 association memberships, equipment purchases,
44 consulting contracts, and any other expenditure
45 efficiencies that the governor deems appropriate.

46 Sec. 52. Section 904.114, Code 2011, is amended to
47 read as follows:

48 **904.114 Travel expenses.**

49 The director, staff members, assistants, and
50 employees, in addition to salary, shall receive their

1 necessary traveling expenses by the nearest practicable
2 route, when engaged in the performance of official
3 business. Permission shall not be granted to any
4 person to travel to another state except by approval of
5 the board ~~and the executive council.~~

6 Sec. 53. 2009 Iowa Acts, chapter 169, section 4,
7 subsection 2, is amended to read as follows:

8 2. From the moneys appropriated in this section,
9 there is transferred to the department of human rights
10 two hundred fifty thousand dollars for deposit in the
11 individual development account state match fund created
12 in section 541A.7. Notwithstanding other provisions to
13 the contrary in section 541A.3, subsection 1, moneys
14 appropriated to the individual development account
15 state match fund under this subsection shall be used
16 to provide the state match to account holders affected
17 by a natural disaster ~~occurring in 2008~~ for which the
18 president of the United States declared a disaster
19 area, and who have a household income that is equal
20 to or less than three hundred percent of the federal
21 poverty level as defined by the most recently revised
22 poverty income guidelines published by the United
23 States department of health and human services.

24 Sec. 54. 2010 Iowa Acts, chapter 1193, section 29,
25 is amended to read as follows:

26 SEC. 29. DEPARTMENT OF ADMINISTRATIVE SERVICES —
27 INFORMATION TECHNOLOGY.

28 1. There is appropriated from the general fund of
29 the state to the department of administrative services
30 for the fiscal year beginning July 1, 2010, and
31 ending June 30, 2011, the following amount, or so much
32 thereof as is necessary, to be used for the purposes
33 designated:

34 For implementing 2010 Iowa Acts, Senate File 2088,
35 division I, including salaries, support, maintenance,
36 and miscellaneous purposes:
37 \$ 2,300,000

38 2. Notwithstanding section 8.33, moneys
39 appropriated in this section that remain unencumbered
40 or unobligated at the close of the fiscal year ending
41 June 30, 2011, shall not revert but shall remain
42 available for expenditure for the purposes designated
43 until the close of the fiscal year ending June 30,
44 2012.

45 Sec. 55. 2011 Iowa Acts, House File 45, section 8,
46 is amended to read as follows:

47 SEC. 8. SALE OR LEASE OF IOWA COMMUNICATIONS
48 NETWORK. The Iowa telecommunications and technology
49 commission shall implement a request for proposals
50 process to sell or lease the Iowa communications

1 network. The request for proposals shall provide for
2 the sale to be concluded or the lease to commence
3 during the fiscal year beginning July 1, ~~2011~~ 2012.
4 The commission shall condition the sale or lease of the
5 Iowa communications network with terms that will allow
6 existing authorized users of the network to continue
7 such use at a lower overall long-term cost when
8 compared to the anticipated operation and maintenance
9 costs if state ownership and control were to continue.
10 Public funds shall not be used to secure the purchase
11 of the network. The commission shall submit periodic
12 status reports to the general assembly at three-month
13 intervals, beginning on October 1, 2011, regarding
14 progress made toward selling or leasing the network.
15 The prior authorization and approval requirements
16 specified in section 8D.12 shall be complied with prior
17 to a sale or lease of the network pursuant to this
18 section.

19 Sec. 56. REPEAL. Section 217.20, Code 2011, is
20 repealed.

21 Sec. 57. REPEAL. 2009 Iowa Acts, chapter 179,
22 section 146, is repealed.

23 Sec. 58. CODE EDITOR DIRECTIVE. The Code editor
24 is directed to change the words "state-owned" to
25 "state-assigned", to the extent not otherwise changed
26 pursuant to this Act, in Code sections 8A.362, 8A.363,
27 8A.364, and 8A.366.

28 Sec. 59. MEDICAID FRAUD FUND TRANSITION.

29 1. Unencumbered and unobligated moneys in and
30 moneys reverting to the Medicaid fraud account created
31 in section 249A.7, Code 2011, on or after June 30,
32 2011, shall be credited to the Medicaid fraud fund
33 created in section 249A.7, by this division of this
34 Act.

35 2. The appropriations made from the Medicaid fraud
36 account for the fiscal years beginning July 1, 2011,
37 and July 1, 2012, shall instead be charged to the
38 Medicaid fraud fund created in section 249A.7, by this
39 division of this Act.

40 3. This section of this Act, being deemed of
41 immediate importance, takes effect upon enactment, and,
42 if this Act is approved by the governor on or after
43 July 1, 2011, subsection 1 of this section applies
44 retroactively to June 30, 2011.

45 Sec. 60. EFFECTIVE UPON ENACTMENT.

46 1. The section of this division of this Act
47 directing the department of administrative services
48 to disconnect electricity to the heated sidewalk
49 installed at the state capitol building, being deemed
50 of immediate importance, takes effect upon enactment.

1 2. The section of this division of this Act
2 providing implementation provisions regarding leasing
3 authority of the department of administrative services,
4 being deemed of immediate importance, takes effect upon
5 enactment.

6 3. The sections of this division of this Act
7 relating to executive branch employee travel and travel
8 reimbursement implementation, being deemed of immediate
9 importance, take effect upon enactment.

10 4. The section of this division of this Act
11 relating to nonreversion of moneys appropriated
12 to the department of administrative services for
13 implementation of 2010 Iowa Acts, chapter 1031,
14 division I, being deemed of immediate importance, takes
15 effect upon enactment.

16 DIVISION II

17 FY 2012-2013

18 Sec. 61. DEPARTMENT OF ADMINISTRATIVE SERVICES.

19 1. There is appropriated from the general fund of
20 the state to the department of administrative services
21 for the fiscal year beginning July 1, 2012, and ending
22 June 30, 2013, the following amounts, or so much
23 thereof as is necessary, to be used for the purposes
24 designated, and for not more than the following
25 full-time equivalent positions:

26 a. For salaries, support, maintenance, and
27 miscellaneous purposes:

28 \$ 2,010,172
29 FTEs 84.18

30 b. For the payment of utility costs:

31 \$ 1,313,230
32 FTEs 1.00

33 Notwithstanding section 8.33, any excess funds
34 appropriated for utility costs in this lettered
35 paragraph shall not revert to the general fund of the
36 state at the end of the fiscal year but shall remain
37 available for expenditure for the purposes of this
38 lettered paragraph during the succeeding fiscal year.

39 c. For Terrace Hill operations:

40 \$ 202,957
41 FTEs 6.88

42 d. For the I3 distribution account:

43 \$ 1,638,973

44 e. For operations and maintenance of the Iowa
45 building:

46 \$ 497,768
47 FTEs 7.00

48 2. Members of the general assembly serving as
49 members of the deferred compensation advisory board
50 shall be entitled to receive per diem and necessary

1 travel and actual expenses pursuant to section 2.10,
2 subsection 5, while carrying out their official duties
3 as members of the board.

4 3. Any funds and premiums collected by the
5 department for workers' compensation shall be
6 segregated into a separate workers' compensation
7 fund in the state treasury to be used for payment of
8 state employees' workers' compensation claims and
9 administrative costs. Notwithstanding section 8.33,
10 unencumbered or unobligated moneys remaining in this
11 workers' compensation fund at the end of the fiscal
12 year shall not revert but shall be available for
13 expenditure for purposes of the fund for subsequent
14 fiscal years.

15 Sec. 62. REVOLVING FUNDS. There is appropriated
16 to the department of administrative services for the
17 fiscal year beginning July 1, 2012, and ending June
18 30, 2013, from the revolving funds designated in
19 chapter 8A and from internal service funds created
20 by the department such amounts as the department
21 deems necessary for the operation of the department
22 consistent with the requirements of chapter 8A.

23 Sec. 63. FUNDING FOR IOWACCESS.

24 1. Notwithstanding section 321A.3, subsection
25 1, for the fiscal year beginning July 1, 2012, and
26 ending June 30, 2013, the first \$750,000 collected
27 and transferred by the department of transportation
28 to the treasurer of state with respect to the fees
29 for transactions involving the furnishing of a
30 certified abstract of a vehicle operating record under
31 section 321A.3, subsection 1, shall be transferred
32 to the IowAccess revolving fund for the purposes of
33 developing, implementing, maintaining, and expanding
34 electronic access to government records as provided by
35 law.

36 2. All fees collected with respect to transactions
37 involving IowAccess shall be deposited in the IowAccess
38 revolving fund and shall be used only for the support
39 of IowAccess projects.

40 Sec. 64. STATE EMPLOYEE HEALTH INSURANCE
41 ADMINISTRATION CHARGE. For the fiscal year beginning
42 July 1, 2012, and ending June 30, 2013, the monthly per
43 contract administrative charge which may be assessed by
44 the department of administrative services shall be \$2
45 per contract on all health insurance plans administered
46 by the department.

47 Sec. 65. AUDITOR OF STATE.

48 1. There is appropriated from the general fund of
49 the state to the office of the auditor of state for the
50 fiscal year beginning July 1, 2012, and ending June

1 30, 2013, subject to subsection 3 of this section, the
2 following amount, or so much thereof as is necessary,
3 to be used for the purposes designated, and for not
4 more than the following full-time equivalent positions:

5 For salaries, support, maintenance, and
6 miscellaneous purposes:
7 \$ 452,734
8 FTEs 103.00

9 2. The auditor of state may retain additional
10 full-time equivalent positions as is reasonable and
11 necessary to perform governmental subdivision audits
12 which are reimbursable pursuant to section 11.20
13 or 11.21, to perform audits which are requested by
14 and reimbursable from the federal government, and
15 to perform work requested by and reimbursable from
16 departments or agencies pursuant to section 11.5A
17 or 11.5B. The auditor of state shall notify the
18 department of management, the legislative fiscal
19 committee, and the legislative services agency of the
20 additional full-time equivalent positions retained.

21 3. The auditor of state shall allocate resources
22 from the appropriation in this section solely for audit
23 work related to the comprehensive annual financial
24 report, federally required audits, and investigations
25 of embezzlement, theft, or other significant financial
26 irregularities until the audit of the comprehensive
27 annual financial report is complete.

28 Sec. 66. IOWA ETHICS AND CAMPAIGN DISCLOSURE
29 BOARD. There is appropriated from the general fund of
30 the state to the Iowa ethics and campaign disclosure
31 board for the fiscal year beginning July 1, 2012, and
32 ending June 30, 2013, the following amount, or so much
33 thereof as is necessary, for the purposes designated:

34 For salaries, support, maintenance, and
35 miscellaneous purposes, and for not more than the
36 following full-time equivalent positions:
37 \$ 237,500
38 FTEs 5.00

39 Sec. 67. DEPARTMENT OF COMMERCE.

40 1. There is appropriated from the general fund
41 of the state to the department of commerce for the
42 fiscal year beginning July 1, 2012, and ending June 30,
43 2013, the following amounts, or so much thereof as is
44 necessary, for the purposes designated:

45 a. ALCOHOLIC BEVERAGES DIVISION

46 For salaries, support, maintenance, and
47 miscellaneous purposes, and for not more than the
48 following full-time equivalent positions:
49 \$ 610,196
50 FTEs 21.00

1 b. PROFESSIONAL LICENSING AND REGULATION BUREAU
2 For salaries, support, maintenance, and
3 miscellaneous purposes, and for not more than the
4 following full-time equivalent positions:
5 \$ 300,177
6 FTEs 12.00
7 2. There is appropriated from the department of
8 commerce revolving fund created in section 546.12
9 to the department of commerce for the fiscal year
10 beginning July 1, 2012, and ending June 30, 2013, the
11 following amounts, or so much thereof as is necessary,
12 for the purposes designated:
13 a. BANKING DIVISION
14 For salaries, support, maintenance, and
15 miscellaneous purposes, and for not more than the
16 following full-time equivalent positions:
17 \$ 4,425,835
18 FTEs 80.00
19 b. CREDIT UNION DIVISION
20 For salaries, support, maintenance, and
21 miscellaneous purposes, and for not more than the
22 following full-time equivalent positions:
23 \$ 863,998
24 FTEs 19.00
25 c. INSURANCE DIVISION
26 (1) For salaries, support, maintenance, and
27 miscellaneous purposes, and for not more than the
28 following full-time equivalent positions:
29 \$ 2,491,622
30 FTEs 106.50
31 (2) The insurance division may reallocate
32 authorized full-time equivalent positions as necessary
33 to respond to accreditation recommendations or
34 requirements. The insurance division expenditures
35 for examination purposes may exceed the projected
36 receipts, refunds, and reimbursements, estimated
37 pursuant to section 505.7, subsection 7, including the
38 expenditures for retention of additional personnel,
39 if the expenditures are fully reimbursable and the
40 division first does both of the following:
41 (a) Notifies the department of management, the
42 legislative services agency, and the legislative fiscal
43 committee of the need for the expenditures.
44 (b) Files with each of the entities named in
45 subparagraph division (a) the legislative and
46 regulatory justification for the expenditures, along
47 with an estimate of the expenditures.
48 d. UTILITIES DIVISION
49 (1) For salaries, support, maintenance, and
50 miscellaneous purposes, and for not more than the

1 following full-time equivalent positions:
2 \$ 4,086,535
3 FTEs 79.00

4 (2) The utilities division may expend additional
5 funds, including funds for additional personnel, if
6 those additional expenditures are actual expenses which
7 exceed the funds budgeted for utility regulation and
8 the expenditures are fully reimbursable. Before the
9 division expends or encumbers an amount in excess of
10 the funds budgeted for regulation, the division shall
11 first do both of the following:

12 (a) Notify the department of management, the
13 legislative services agency, and the legislative fiscal
14 committee of the need for the expenditures.

15 (b) File with each of the entities named in
16 subparagraph division (a) the legislative and
17 regulatory justification for the expenditures, along
18 with an estimate of the expenditures.

19 (3) Notwithstanding sections 8.33 and 476.10 or
20 any other provisions to the contrary, any unencumbered
21 or unobligated balance of the appropriation made in
22 this paragraph for the utilities division or any other
23 operational appropriation made for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013,
25 that remains unused, unencumbered, or unobligated
26 at the close of the fiscal year shall not revert but
27 shall remain available to be used for purposes of the
28 energy-efficient building project authorized under
29 section 476.10B, or for relocation costs in succeeding
30 fiscal years.

31 (4) In addition to the funds otherwise appropriated
32 to the division in subparagraph (1), and contingent
33 upon the enactment of legislation during the 2011
34 legislative session relating to the permitting,
35 licensing, construction, and operation of nuclear
36 generation facilities and establishing rate-making
37 principles in relation thereto, for salaries, support,
38 maintenance, and miscellaneous purposes, and for not
39 more than the following full-time equivalent positions:
40 \$ 425,000
41 FTEs 3.50

42 3. CHARGES. Each division and the office of
43 consumer advocate shall include in its charges
44 assessed or revenues generated an amount sufficient
45 to cover the amount stated in its appropriation and
46 any state-assessed indirect costs determined by the
47 department of administrative services.

48 Sec. 68. DEPARTMENT OF COMMERCE — PROFESSIONAL
49 LICENSING AND REGULATION BUREAU. There is appropriated
50 from the housing trust fund of the Iowa finance

1 authority created in section 16.181, to the bureau of
2 professional licensing and regulation of the banking
3 division of the department of commerce for the fiscal
4 year beginning July 1, 2012, and ending June 30,
5 2013, the following amount, or so much thereof as is
6 necessary, to be used for the purposes designated:
7 For salaries, support, maintenance, and
8 miscellaneous purposes:
9 \$ 31,159

10 Sec. 69. GOVERNOR AND LIEUTENANT GOVERNOR. There
11 is appropriated from the general fund of the state to
12 the offices of the governor and the lieutenant governor
13 for the fiscal year beginning July 1, 2012, and ending
14 June 30, 2013, the following amounts, or so much
15 thereof as is necessary, to be used for the purposes
16 designated:
17 For salaries, support, maintenance, and
18 miscellaneous purposes:
19 \$ 1,144,013
20 FTEs 22.88

21 Sec. 70. GOVERNOR'S OFFICE OF DRUG CONTROL
22 POLICY. There is appropriated from the general fund
23 of the state to the governor's office of drug control
24 policy for the fiscal year beginning July 1, 2012, and
25 ending June 30, 2013, the following amount, or so much
26 thereof as is necessary, to be used for the purposes
27 designated:
28 For salaries, support, maintenance, and
29 miscellaneous purposes, including statewide
30 coordination of the drug abuse resistance education
31 (D.A.R.E.) programs or similar programs, and for not
32 more than the following full-time equivalent positions:
33 \$ 145,000
34 FTEs 8.00

35 Sec. 71. DEPARTMENT OF HUMAN RIGHTS. There is
36 appropriated from the general fund of the state to
37 the department of human rights for the fiscal year
38 beginning July 1, 2012, and ending June 30, 2013, the
39 following amounts, or so much thereof as is necessary,
40 to be used for the purposes designated:

41 1. CENTRAL ADMINISTRATION DIVISION
42 For salaries, support, maintenance, and
43 miscellaneous purposes, and for not more than the
44 following full-time equivalent positions:
45 \$ 103,052
46 FTEs 7.00

47 2. COMMUNITY ADVOCACY AND SERVICES DIVISION
48 For salaries, support, maintenance, and
49 miscellaneous purposes, and for not more than the
50 following full-time equivalent positions:

1 \$ 514,039
2 FTEs 17.00
3 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
4 For salaries, support, maintenance, and
5 miscellaneous purposes, and for not more than the
6 following full-time equivalent positions:
7 \$ 511,946
8 FTEs 10.00
9 The criminal and juvenile justice planning advisory
10 council and the juvenile justice advisory council
11 shall coordinate their efforts in carrying out their
12 respective duties relative to juvenile justice.
13 Sec. 72. DEPARTMENT OF INSPECTIONS AND
14 APPEALS. There is appropriated from the general fund
15 of the state to the department of inspections and
16 appeals for the fiscal year beginning July 1, 2012, and
17 ending June 30, 2013, the following amounts, or so much
18 thereof as is necessary, for the purposes designated:
19 1. ADMINISTRATION DIVISION
20 For salaries, support, maintenance, and
21 miscellaneous purposes, and for not more than the
22 following full-time equivalent positions:
23 \$ 763,870
24 FTEs 37.40
25 2. ADMINISTRATIVE HEARINGS DIVISION
26 For salaries, support, maintenance, and
27 miscellaneous purposes, and for not more than the
28 following full-time equivalent positions:
29 \$ 264,377
30 FTEs 23.00
31 3. INVESTIGATIONS DIVISION
32 a. For salaries, support, maintenance, and
33 miscellaneous purposes, and for not more than the
34 following full-time equivalent positions:
35 \$ 584,320
36 FTEs 58.50
37 b. The department, in coordination with the
38 investigations division, shall provide a report to
39 the general assembly by January 10, 2013, concerning
40 the fiscal impact of additional full-time equivalent
41 positions on the department's efforts relative to the
42 Medicaid divestiture program under chapter 249F.
43 4. HEALTH FACILITIES DIVISION
44 a. For salaries, support, maintenance, and
45 miscellaneous purposes, and for not more than the
46 following full-time equivalent positions:
47 \$ 1,777,664
48 FTEs 134.75
49 b. The department shall, in coordination with
50 the health facilities division, make the following

1 information available to the public in a timely
2 manner, to include providing the information on the
3 department's internet website, during the fiscal year
4 beginning July 1, 2012, and ending June 30, 2013:

5 (1) The number of inspections conducted by the
6 division annually by type of service provider and type
7 of inspection.

8 (2) The total annual operations budget for the
9 division, including general fund appropriations and
10 federal contract dollars received by type of service
11 provider inspected.

12 (3) The total number of full-time equivalent
13 positions in the division, to include the number of
14 full-time equivalent positions serving in a supervisory
15 capacity, and serving as surveyors, inspectors, or
16 monitors in the field by type of service provider
17 inspected.

18 (4) Identification of state and federal survey
19 trends, cited regulations, the scope and severity of
20 deficiencies identified, and federal and state fines
21 assessed and collected concerning nursing and assisted
22 living facilities and programs.

23 c. It is the intent of the general assembly that
24 the department and division continuously solicit input
25 from facilities regulated by the division to assess and
26 improve the division's level of collaboration and to
27 identify new opportunities for cooperation.

28 5. EMPLOYMENT APPEAL BOARD

29 a. For salaries, support, maintenance, and
30 miscellaneous purposes, and for not more than the
31 following full-time equivalent positions:

32 \$ 21,108
33 FTEs 14.00

34 b. The employment appeal board shall be reimbursed
35 by the labor services division of the department
36 of workforce development for all costs associated
37 with hearings conducted under chapter 91C, related
38 to contractor registration. The board may expend,
39 in addition to the amount appropriated under this
40 subsection, additional amounts as are directly billable
41 to the labor services division under this subsection
42 and to retain the additional full-time equivalent
43 positions as needed to conduct hearings required
44 pursuant to chapter 91C.

45 6. CHILD ADVOCACY BOARD

46 a. For foster care review and the court appointed
47 special advocate program, including salaries, support,
48 maintenance, and miscellaneous purposes, and for not
49 more than the following full-time equivalent positions:
50 \$ 1,340,145

1 FTEs 40.80

2 b. The department of human services, in

3 coordination with the child advocacy board and the

4 department of inspections and appeals, shall submit an

5 application for funding available pursuant to Tit. IV-E

6 of the federal Social Security Act for claims for child

7 advocacy board administrative review costs.

8 c. The court appointed special advocate program

9 shall investigate and develop opportunities for

10 expanding fund-raising for the program.

11 d. Administrative costs charged by the department

12 of inspections and appeals for items funded under this

13 subsection shall not exceed 4 percent of the amount

14 appropriated in this subsection.

15 Sec. 73. DEPARTMENT OF INSPECTIONS AND APPEALS

16 — MUNICIPAL CORPORATION FOOD INSPECTIONS. For the

17 fiscal year beginning July 1, 2012, and ending June 30,

18 2013, the department of inspections and appeals shall

19 retain any license fees generated during the fiscal

20 year as a result of actions under section 137F.3A

21 occurring during the period beginning July 1, 2009, and

22 ending June 30, 2011, for the purpose of enforcing the

23 provisions of chapters 137C, 137D, and 137F.

24 Sec. 74. DEPARTMENT OF INSPECTIONS AND APPEALS —

25 HEALTH CARE FACILITIES INSPECTIONS. Notwithstanding

26 any provision of section 135C.16 to the contrary,

27 inspections of health care facilities that are only

28 state-licensed and not certified under the Medicare

29 or Medicaid programs shall not be inspected by the

30 department of inspections and appeals every thirty

31 months, but only as provided pursuant to sections

32 135C.9 and 135C.38.

33 Sec. 75. DEPARTMENT OF INSPECTIONS AND

34 APPEALS — GENERAL SUPPORT — MEDICAID FRAUD FUND

35 APPROPRIATION. There is appropriated from the Medicaid

36 fraud fund created in section 249A.7 to the department

37 of inspections and appeals for the fiscal year

38 beginning July 1, 2012, and ending June 30, 2013, the

39 following amount, or so much thereof as is necessary,

40 to be used for the purposes designated:

41 For additional health facility surveyors, compliance

42 officers, and residential care facility surveyors:

43 \$ 325,000

44 Sec. 76. DEPARTMENT OF INSPECTIONS AND APPEALS

45 — STATE MATCH REQUIREMENTS — MEDICAID FRAUD FUND

46 APPROPRIATION. There is appropriated from the Medicaid

47 fraud fund created in section 249A.7 to the department

48 of inspections and appeals for the fiscal year

49 beginning July 1, 2012, and ending June 30, 2013, the

50 amounts necessary for the purposes designated:

1 1. To cover the cost of any state match to draw
2 down matching federal funds through the department of
3 human services for additional full-time equivalent
4 positions for conducting investigations of alleged
5 fraud and overpayments of food assistance benefits
6 through electronic benefits transfer.

7 2. For the state financial match requirement
8 for meeting the federal mandates connected with the
9 department's Medicaid fraud and abuse activities, and
10 the amount necessary to cover costs incurred by the
11 department or other agencies in providing regulation,
12 responding to allegations, or other activity involving
13 chapter 1350.

14 Sec. 77. DEPARTMENT OF INSPECTIONS AND APPEALS
15 — LEGISLATIVE IMPLEMENTATION — MEDICAID FRAUD FUND
16 APPROPRIATION. There is appropriated from the Medicaid
17 fraud fund created in section 249A.7 to the department
18 of inspections and appeals for the fiscal year
19 beginning July 1, 2012, and ending June 30, 2013, the
20 following amount, or so much thereof as is necessary,
21 to be used for the purposes designated:

22 For salaries, support, maintenance, miscellaneous
23 purposes, administration, and other costs associated
24 with implementation of 2010 Iowa Acts, chapter 1177:
25 \$ 125,000

26 Sec. 78. RACING AND GAMING COMMISSION.

27 1. RACETRACK REGULATION

28 There is appropriated from the gaming regulatory
29 revolving fund established in section 99F.20 to the
30 racing and gaming commission of the department of
31 inspections and appeals for the fiscal year beginning
32 July 1, 2012, and ending June 30, 2013, the following
33 amount, or so much thereof as is necessary, to be used
34 for the purposes designated:

35 For salaries, support, maintenance, and
36 miscellaneous purposes for the regulation of
37 pari-mutuel racetracks, and for not more than the
38 following full-time equivalent positions:
39 \$ 1,255,720
40 FTEs 28.53

41 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

42 There is appropriated from the gaming regulatory
43 revolving fund established in section 99F.20 to the
44 racing and gaming commission of the department of
45 inspections and appeals for the fiscal year beginning
46 July 1, 2012, and ending June 30, 2013, the following
47 amount, or so much thereof as is necessary, to be used
48 for the purposes designated:

49 For salaries, support, maintenance, and
50 miscellaneous purposes for administration and

1 enforcement of the excursion boat gambling and gambling
2 structure laws, and for not more than the following
3 full-time equivalent positions:

4 \$ 1,539,050
5 FTEs 44.22

6 Sec. 79. ROAD USE TAX FUND APPROPRIATION —
7 DEPARTMENT OF INSPECTIONS AND APPEALS. There is
8 appropriated from the road use tax fund created in
9 section 312.1 to the administrative hearings division
10 of the department of inspections and appeals for the
11 fiscal year beginning July 1, 2012, and ending June 30,
12 2013, the following amount, or so much thereof as is
13 necessary, for the purposes designated:

14 For salaries, support, maintenance, and
15 miscellaneous purposes:

16 \$ 811,949

17 Sec. 80. DEPARTMENT OF MANAGEMENT.

18 1. There is appropriated from the general fund
19 of the state to the department of management for the
20 fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amounts, or so much thereof as is
22 necessary, to be used for the purposes designated:

23 For salaries, support, maintenance, and
24 miscellaneous purposes, and for not more than the
25 following full-time equivalent positions:

26 \$ 1,196,999
27 FTEs 25.00

28 2. Of the moneys appropriated in this section, the
29 department shall use a portion for enterprise resource
30 planning, providing for a salary model administrator,
31 conducting performance audits, and for the department's
32 LEAN process.

33 Sec. 81. ROAD USE TAX APPROPRIATION — DEPARTMENT
34 OF MANAGEMENT. There is appropriated from the road use
35 tax fund created in section 312.1 to the department
36 of management for the fiscal year beginning July 1,
37 2012, and ending June 30, 2013, the following amount,
38 or so much thereof as is necessary, to be used for the
39 purposes designated:

40 For salaries, support, maintenance, and
41 miscellaneous purposes:

42 \$ 28,000

43 Sec. 82. DEPARTMENT OF REVENUE.

44 1. There is appropriated from the general fund
45 of the state to the department of revenue for the
46 fiscal year beginning July 1, 2012, and ending June 30,
47 2013, the following amounts, or so much thereof as is
48 necessary, to be used for the purposes designated:

49 For salaries, support, maintenance, and
50 miscellaneous purposes, and for not more than the

1 following full-time equivalent positions:
2 \$ 8,829,742
3 FTEs 303.48

4 2. Of the funds appropriated pursuant to this
5 section, \$400,000 shall be used to pay the direct
6 costs of compliance related to the collection and
7 distribution of local sales and services taxes imposed
8 pursuant to chapters 423B and 423E.

9 3. The director of revenue shall prepare and issue
10 a state appraisal manual and the revisions to the
11 state appraisal manual as provided in section 421.17,
12 subsection 17, without cost to a city or county.

13 Sec. 83. MOTOR VEHICLE FUEL TAX
14 APPROPRIATION. There is appropriated from the motor
15 fuel tax fund created by section 452A.77 to the
16 department of revenue for the fiscal year beginning
17 July 1, 2012, and ending June 30, 2013, the following
18 amount, or so much thereof as is necessary, to be used
19 for the purposes designated:

20 For salaries, support, maintenance, miscellaneous
21 purposes, and for administration and enforcement of the
22 provisions of chapter 452A and the motor vehicle use
23 tax program:

24 \$ 652,888
25 Sec. 84. SECRETARY OF STATE.

26 1. There is appropriated from the general fund of
27 the state to the office of the secretary of state for
28 the fiscal year beginning July 1, 2012, and ending June
29 30, 2013, the following amounts, or so much thereof as
30 is necessary, to be used for the purposes designated:

31 For salaries, support, maintenance, and
32 miscellaneous purposes, and for not more than the
33 following full-time equivalent positions:

34 \$ 1,447,793
35 FTEs 45.00

36 2. The state department or state agency which
37 provides data processing services to support voter
38 registration file maintenance and storage shall provide
39 those services without charge.

40 Sec. 85. SECRETARY OF STATE FILING FEES REFUND.
41 Notwithstanding the obligation to collect fees pursuant
42 to the provisions of section 490.122, subsection 1,
43 paragraphs "a" and "s", and section 504.113, subsection
44 1, paragraphs "a", "c", "d", "j", "k", "l", and
45 "m", for the fiscal year beginning July 1, 2012, the
46 secretary of state may refund these fees to the filer
47 pursuant to rules established by the secretary of
48 state. The decision of the secretary of state not to
49 issue a refund under rules established by the secretary
50 of state is final and not subject to review pursuant

1 to chapter 17A.

2 Sec. 86. TREASURER.

3 1. There is appropriated from the general fund of
4 the state to the office of treasurer of state for the
5 fiscal year beginning July 1, 2012, and ending June 30,
6 2013, the following amount, or so much thereof as is
7 necessary, to be used for the purposes designated:

8 For salaries, support, maintenance, and
9 miscellaneous purposes, and for not more than the
10 following full-time equivalent positions:

11	\$	427,145
12	FTEs	28.80

13 2. The office of treasurer of state shall supply
14 clerical and secretarial support for the executive
15 council.

16 Sec. 87. ROAD USE TAX APPROPRIATION — OFFICE
17 OF TREASURER OF STATE. There is appropriated from
18 the road use tax fund created in section 312.1 to
19 the office of treasurer of state for the fiscal year
20 beginning July 1, 2012, and ending June 30, 2013, the
21 following amount, or so much thereof as is necessary,
22 to be used for the purposes designated:

23 For enterprise resource management costs related to
24 the distribution of road use tax funds:

25	\$	46,574
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26 Sec. 88. IPERS — GENERAL OFFICE. There is
27 appropriated from the Iowa public employees' retirement
28 system fund to the Iowa public employees' retirement
29 system for the fiscal year beginning July 1, 2012, and
30 ending June 30, 2013, the following amount, or so much
31 thereof as is necessary, to be used for the purposes
32 designated:

33 For salaries, support, maintenance, and other
34 operational purposes to pay the costs of the Iowa
35 public employees' retirement system, and for not more
36 than the following full-time equivalent positions:

37	\$	8,843,484
38	FTEs	90.13

39 DIVISION III

40 CONDITIONAL EFFECTIVE DATE AND RETROACTIVE
41 APPLICABILITY

42 Sec. 89. EFFECTIVE DATE AND RETROACTIVE
43 APPLICABILITY. Unless otherwise provided, this Act,
44 if approved by the governor on or after July 1, 2011,
45 takes effect upon enactment and applies retroactively
46 to July 1, 2011.>

WATTS of Dallas